

**City of Annapolis**  
**Alcoholic Beverage Control Board**  
**February 5, 2014**

The Regular Meeting of the Alcoholic Beverage Control Board of the City of Annapolis was held on February 5, 2014 in the City Council Chamber. Chair Leonard Berman called the meeting to order at 7:10 p.m.

Present: Chair Leonard Berman, Vice Chair Lawrence Harris, Member Catherine Shultz

Absent: Valerie Miller and Mike Miron

Staff: Assistant City Attorney Gary Elson

Vice Chair Harris moved to approve the Journal of Proceedings of January 8, 2014. Seconded. CARRIED on voice vote.

**PUBLIC HEARING**

• **PRESERVE – New**

Application has been made for a new alcoholic beverage license Class B-4.x.a.b Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days per week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m., off-sale Monday through Sunday during authorized hours by Frank Matthew Hetrick, Michelle Christine Hoffman and Christopher Brent Oland for the premises known as Preserve, LLC, t/a PRESERVE, 164 Main Street, Annapolis, Maryland 21401.

Alan J. Hyatt, attorney for the applicants, Hyatt & Weber, P.A., Severn Bank Building, 200 Westgate Circle, Suite 500, Annapolis, Maryland 21401 gave a brief presentation.

Chair Berman entered the following into the record:

Exhibit #1: Affidavit of Posting  
Exhibit #2: Proposed Menu  
Exhibit #3: Floor Plans  
Exhibit #4: Resume of Gary T. Westholm, MAI  
Exhibit #5: Narrative report of existing licenses

Applicants, Frank M. Hetrick, Michelle C. Hoffman and Christopher B. Oland were present and answered questions addressed by the Board.

Present and testified on behalf of the application:

Gary T. Westholm, Westholm & Associates, LLC, 140 South Street, Suite 200, Annapolis, Maryland 21401

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve the application for a new Class B-4.x.a.b Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days per week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m., off-sale Monday through Sunday during authorized hours by Frank Matthew Hetrick, Michelle Christine Hoffman and Christopher Brent Oland for the premises known as Preserve, LLC, t/a PRESERVE, 164 Main Street, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

Chair Berman declared the public hearing closed.

## **BUSINESS AND MISCELLANEOUS**

- **AMERICAN LEGION** – Private Rental Party, Ravens Roost # 35

Request for a Special Class C, One Day Liquor License, private rental party to Raven's Roost # 35 from 8:00 p.m. to 1:00 a.m. on March 29, 2014.

Applicant, Thomas Phelps was present and answered questions addressed by the Board.

Vice Chair Harris moved to approve the application for a Special Class, C One Day Liquor License, beer, wine and liquor to RAVEN'S ROOST # 35 at the American Legion Cook-Pinkney Post # 141 from 8:00 p.m. to 1:00 a.m. on March 29, 2014. Seconded. CARRIED on voice vote.

- **AMERICAN LEGION** – Private Rental Party, Joyce Gray

Request for a Special Class C, One Day Liquor License, private rental party to Joyce Gray from 9:00 p.m. to 1:00 a.m. on March 1, 2014.

Applicant, Joyce Gray was present and answered questions addressed by the Board.

Member Shultz moved to approve the application for a Special Class, C One Day Liquor License, beer, wine and liquor to JOYCE GRAY at the American Legion Cook-Pinkney Post # 141 from 9:00 p.m. to 1:00 a.m. on March 1, 2014. Seconded. CARRIED on voice vote.

- **STANTON COMMUNITY CENTER** – Private Rental Party, Norman Woolfork

Request for a Special Class C, One Day Liquor License, private rental party to Norman Woolfork from 7:00 p.m. to 12:00 midnight on February 15, 2014.

Applicant, Margarita Wright was present and answered questions addressed by the Board.

Vice Chair Harris moved to approve the application for a Special Class, C One Day Liquor License, beer, wine and liquor to NORMAN WOOLFORK/MARGARITA WRIGHT at the Stanton Community Center from 7:00 p.m. to 12:00 midnight on February 15, 2014. Seconded. CARRIED on voice vote.

*Without objection, the order of the agenda was changed.*

- **MISS SHIRLEY'S CAFÉ** – Substitution of Officer

David W. Dopkin *to replace* Edward L. Dopkin

Lenore S. Lerner *to replace* Christina Hambruch

Alan J. Hyatt, attorney for the applicants, Hyatt & Weber, P.A., Severn Bank Building, 200 Westgate Circle, Suite 500, Annapolis, Maryland 21401 gave a brief presentation.

Applicants, David W. Dopkin and Lenore S. Lerner were present and answered questions addressed by the Board.

Member Shultz moved to approve the substitution of David W. Dopkin and Lenore S. Lerner as officers for the alcoholic beverage license of MISS SHIRLEY'S CAFÉ. Seconded. CARRIED on voice vote.

- **LOEWS ANNAPOLIS HOTEL** – Substitution of Officer

Barbara A. McMahon *to replace* Oscar Guerra

Robert R. Smith, attorney for the applicant, Franch & Smith, P.A., 107 Ridgely Ave, Suite 9, Annapolis, Maryland 21401 gave a brief presentation.

Applicant, Barbara A. McMahon was present and answered questions addressed by the Board.

Vice Chair Harris moved to approve the substitution of Barbara A. McMahon as an officer for the alcoholic beverage license of LOEWS ANNAPOLIS HOTEL. Seconded. CARRIED on voice vote.

*The order of the agenda was resumed.*

- **RAMS HEAD TAVERN** – Special Event, March 17, 2014

Request for a one day extension of licensed premises to include adjacent parking lot during regular operating hours on March 17, 2014.

Vice President of Marketing, Erin McNaboe and General Manager, Wayne Fertitta for Rams Head Tavern were present and answered questions addressed by the Board.

Vice Chair Harris moved to grant the request for a one day extension of licensed

premises to include the outside parking lot of RAMS HEAD TAVERN during regular operating hours on March 17, 2014. Seconded. CARRIED on voice vote.

- **LEMONGRASS** – Downgrade of License

Request for a downgrade of license from an existing B-4 Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days per week, to a B-2 Restaurant, beer, wine and liquor, only with meals, six a.m. to twelve midnight seven days per week (special Sunday license) by J. Matthew Hudson, Stanley Hsu and Catherine R. Hudson for the premises known as Lemongrass, LLC, t/a LEMONGRASS, 167 West Street, Annapolis, Maryland 21401.

Owner and operator, Joseph P. Danek presented the request and answered questions addressed by the Board.

Licensees, J. Matthew Hudson, Stanley Hsu and Catherine Hudson were not present.

Member Shultz moved to downgrade the license to a B-2, Restaurant, beer, wine and liquor, only with meals, six a.m. to twelve midnight seven days per week (special Sunday license) by J. Matthew Hudson, Stanley Hsu and Catherine R. Hudson for the premises known as Lemongrass, LLC, t/a LEMONGRASS, 167 West Street, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

- **METROPOLITAN KITCHEN & LOUNGE** – Downgrade of License

Request a downgrade of license from an existing B-4.x.a.b Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight, seven days a week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m., off sale Monday through Sunday to a B-4.x.a.b Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight, seven days a week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m., off sale, beer and light wine, Monday through Sunday by Gavin L. Buckley and Joseph P. Danek for the premises known as The Latin Quarter, LLC, t/a METROPOLITAN KITCHEN & LOUNGE, 169 West Street, Annapolis, Maryland 21401.

Licensee, Joseph P. Danek was present and answered questions addressed by the Board.

Licensee, Gavin L. Buckley was not present.

Member Shultz moved to downgrade the license to a B-4.x.a.b, Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days per week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m., off sale, beer and light wine only, Monday through Sunday by Gavin L. Buckley and Joseph P. Danek for the premises known as The Latin Quarter, LLC, t/a METROPOLITAN KITCHEN & LOUNGE, 169 West Street, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

- **ROCKFISH RAW BAR & GRILL – Deletion of Licensee**

Petition by licensee for removal from Rockfish Raw Bar & Grill Liquor License.

Licensee, Robert J. Brilliant presented the petition for removal from Rockfish Bar & Grill Liquor License and answered questions addressed by the Board.

Vice Chair Harris moved to grant pursuant to Rule and Regulations 2.01(I)(4) the request of Robert J. Brilliant to be removed as a licensee from ROCKFISH RAW BAR & GRILL Liquor License. Seconded. CARRIED on voice vote.

- **ARMADILLO'S – Substitution of Officer**

Robert J. Brilliant *to replace* Scott C. Schleupner

Applicant, Robert J. Brilliant was present and answered questions addressed by the Board.

Vice Chair Harris moved to approve, contingent upon receipt of a signed and notarized Affidavit of Corporate Officer, the substitution of Robert J. Brilliant as an officer for the alcoholic beverage license of ARMADILLO'S BAR & GRILL. Seconded. CARRIED on voice vote.

- **ROCKFISH ACQUISITION, LLC**

ABC Board request to appear for an update on current building progress and plans for opening of restaurant.

Robert D. Miller, attorney for the licensees, Hyatt & Weber, P.A., Severn Bank Building, 200 Westgate Circle, Suite 500, Annapolis, Maryland 21401 gave a brief presentation.

Chair Berman entered the following into the record:

Exhibit # 1: Letter dated February 5, 2013 from Hammond Wilson Architects

Exhibit # 2: Letter dated January 27, 2014 to Christian Zazzali, Chair, City of Annapolis Board of Appeals

Licensees, James King, Derek Fink and Alan Friedman were present and answered questions addressed by the Board.

Vice Chair Harris moved to grant Rockfish Raw Bar & Grill LLC an additional extension to remain closed under Rules & Regulations 2.05 until June 30, 2014. Seconded. CARRIED on voice vote.

- **FOX'S DEN – AMERICAN CRAFT GASTROPUB**

ABC Board request to appear for an update on current building progress and plans for opening of restaurant.

Alan J. Hyatt, attorney for the applicants, Hyatt & Weber, P.A., Severn Bank Building, 200 Westgate Circle, Suite 500, Annapolis, Maryland 21401 gave a brief presentation.

Licensee, Chris Fox was present.

Also present, Ermis Sfakiyanudis the landlord of 179 Main Street property answered questions addressed by the Board.

Member Shultz moved that the Board accept and apply the previous Rule of 2.08, allowing three (3) months for extensions in determining the Fox's Den request for an additional extension of time. Seconded. CARRIED on voice vote.

Vice Chair Harris moved to grant Fox's Den – American Craft Gastropub an additional three (3) month extension until June 4, 2014. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting adjourned at 10:00 p.m.

Theresa Bucalo, CMC  
Deputy City Clerk